

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JAY P. MALMQUIST, D.M.D.; JAY P.
MALMQUIST, D.M.D., P.C.; RODNEY S.
NICHOLS, D.M.D.; RODNEY S. NICHOLS,
D.M.D., P.C.; HENRY C. WINDELL, D.M.D.;
HENRY C. WINDELL, D.M.D., P.C.;
NORTHWEST ORAL AND MAXILLOFACIAL
SURGEONS, LLC; and GARY T. PEDERSON,
D.D.S, P.C.,

Plaintiffs,

v.

OMS NATIONAL INSURANCE COMPANY,
an Illinois Risk Retention Group; BRENDA
L. MACLAREN-BEATTIE, dba THE
MACLAREN GROUP,

Defendants.

Civil No. 09-1309-PK

ORDER

HAGGERTY, District Judge:

Magistrate Judge Papak has issued a Findings and Recommendation [84] in this action.

The Magistrate Judge recommends granting in part and denying in part defendant OMS National

Insurance Company's Motion for Summary Judgment [27]. He also recommends denying plaintiffs' Cross-Motion for Partial Summary Judgment [48] and Motion to Strike [49]. No objections were filed, and the case was referred to this court.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. Accordingly, this court adopts the Findings and Recommendation in its entirety.

CONCLUSION

The Findings and Recommendation [84] is adopted. OMS National Insurance Company's Motion for Summary Judgment [27] is granted as to plaintiffs' Washington Consumer Protection Act claim and denied as to plaintiffs' remaining claims. Plaintiffs' Cross-Motion for Partial Summary Judgment [48] is denied and plaintiffs' Motion to Strike [49] is denied.

IT IS SO ORDERED.

DATED this 18 day of January, 2011.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge